

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: **Ralph A. Cowden III**  
Application Number: **10/571,740**  
Filing Date: **11/23/2007**  
Atty. Docket No.: **4396-060415**  
Confirmation No.: **6915**  
Group Art No.: **1612**  
Examiner: **Milligan, Adam C**  
Title: **NUTRITIONAL SUPPLEMENT AND PROTOCOL**

Honolulu, Hawai`i  
October 22, 2009

**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA EFS**

**AMENDMENT AND RESPONSE**

Responsive to the non-final Office Communication dated July 23, 2009, wherein the Examiner made the May 12, 2009 election/restriction requirement final, examined elected pending claims 1 through 9, objected to the language of claim 1, and rejected claims 1 through 9 as obvious under 35 USC § 103 in view of Rozema (1997 Journal Article), in combination with Kotilainen (U.S. Patent No. 4,885,156), Rabussy (U.S. Patent No. 4,355,033), Hsia (U.S. Patent No. 6,180,139), Herman (1996 Journal Article), and Yashiro (1987 Japanese Patent Publication), Applicant submits the following claims amendments, authority and remarks.